

**Remarks**

Reconsideration of this application, as amended, is respectfully requested. Claims 1-4, 7-15, 30, and 33 have been amended without prejudice or disclaimer. Claims 16-29, 31, 32, 34, 37, and 38 have been cancelled without prejudice or disclaimer. With this amendment, claims 1-15, 30, 33, 35 and 36 are pending. Applicants reserve the right to prosecute any cancelled or otherwise unclaimed subject matter present in this application in a continuation, divisional, or other application. Consideration and entry of these amendments is respectfully requested.

**Restriction Requirement**

The Examiner requires election of one of twelve groups of claims. Applicants are required to make an election and hereby elect Group I with traverse. It is requested that Group I be modified to also include claims 33, 35 and 36 which are directed to vaccines comprising nucleic acid molecules encoding the polypeptide of SEQ ID NO.:2, SEQ ID NO.:6, or variants thereof. As such, modified Group I includes claims 1-15, 30, 33, 35, and 36. Applicants do not believe this grouping would place an undue search burden on the Examiner as the subject matter of all claims include limitations to a single set of nucleic acid sequences.

Applicants respectfully disagree with the Examiner regarding WO 02/14516 A1. The reference anticipates neither the originally filed claims nor the claims as amended herein.

**CONCLUSIONS**

Applicants believe the claims are in condition for allowance and respectfully request that a Notice of Allowance be issued as soon as possible. The Examiner is encouraged to contact the undersigned with any comments and / or questions.

Respectfully submitted,

Date: March 11, 2008



Patrick J. Halloran

Reg. No. 41,053

Patrick J. Halloran, Ph.D., J.D.  
3141 Muirfield Road  
Center Valley, PA 18034  
Tel: 610-984-4751  
Fax: 484-214-0164  
e-mail: pat@pathalloran.com